

1 JOSEPH A. SCANLAN, JR. (SBN 101928)
2 MORTON, CAILLAT & NEVIS, LLP
25 Metro Drive, 7th Floor
San Jose, CA 95110
3 Telephone: (408) 292 1765
Facsimile: (408) 436 8272

4 Attorneys for Plaintiff
5 ROBERT CHRISTENSEN

6 THOMAS M. HERLIHY (SBN 83615)
FRANCIS TORRENCE (SBN 154653)
7 CHRISTINA VAN WERT (SBN 242741)
WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP
8 525 Market Street, 17th Floor
San Francisco, CA 94105
9 Telephone: (415) 433-0990
Facsimile: (415) 434-1370

10 Attorneys for Defendant/Counterclaimant
11 PROVIDENT LIFE AND ACCIDENT
INSURANCE COMPANY

13 **UNITED STATES DISTRICT COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**
15 **SAN JOSE DIVISION**

16 ROBERT H. CHRISTENSEN,) CASE NO.: C 07 04789 JF
17 Plaintiff,)
18 v.) STIPULATION AND [PROPOSED] ORDER
19 PROVIDENT LIFE AND ACCIDENT)
INSURANCE COMPANY,)
21 Defendant.)

22 PROVIDENT LIFE AND ACCIDENT)
23 INSURANCE COMPANY,)

24 Counterclaimant,)

25 v.)

26 ROBERT H. CHRISTENSEN,)

27 Counterdefendant.)

STIPULATION AND [PROPOSED] ORDER
CASE NO.: C07-04789

The parties, plaintiff and counterdefendant Robert H. Christensen (“plaintiff”) and defendant and countercomplainant Provident Life and Accident Insurance Company (“defendant”), through their respective counsel of record, hereby stipulate as follows:

The parties had previously proposed, and the Court had confirmed an Expert Disclosure date of November 14, 2008. While the parties have been engaged in the initial stages of discovery, they mutually have realized that efficient case management would suggest that they agree to reschedule the Expert Disclosure related dates until after the beginning of the new year.

Therefore, the parties propose the following amendment to the existing pretrial schedule for Expert Disclosure, with the Discovery Cut-off date and other court-ordered dates remaining unchanged, and request the Court to issue an order accordingly:

Expert Disclosures: February 23, 2009

Supplemental Disclosures: March 2, 2009

Discovery Cut-off: March 13, 2009

Of course, if the Court has questions about this request, or is otherwise inclined, the parties will make themselves available for a telephonic conference to discuss this issue with the Court, or can appear in person per the Court's desire.

IT IS SO STIPULATED

Dated: November 12, 2008 MILLER MORTON CAILLAT & NEVIS, LLP

By: _____ /s/
JOSEPH A. SCANLAN
Attorneys for Plaintiff/Counterdefendant
ROBERT H. CHRISTENSEN

1 Dated: November 12, 2008 WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP
2

3 By: _____ /s/

4 THOMAS M. HERLIHY
5 FRANCIS TORRENCE
6 CHRISTINA VAN WERT
7 Attorney for Defendant/Counterclaimant
8 PROVIDENT LIFE AND ACCIDENT
9 INSURANCE COMPANY

10 ORDER

11 Good cause appearing, it is hereby ordered that the existing pretrial schedule be amended as
12 follows:

13 Expert Disclosures: February 23, 2009

14 Supplemental Expert Disclosures: March 2, 2009

15 Discovery Cut-off: March 13, 2009

16 All other pretrial and trial dates remain the same. _____.

17 IT IS SO ORDERED

18 Date: 11/13, 2008

19 
JEREMY FOGEL
JUDGE OF THE UNITED STATES
DISTRICT COURT